

Serial No.: 10/629,648

### REMARKS

Attached hereto are two sheets of drawings showing proposed changes to the figures. Figures 1-3 are identified as "prior art," and missing reference numerals are added to figures 4a and 5. Reconsideration of the objections to the drawings is respectfully requested in light of these changes.

A replacement abstract is submitted herewith, a new title has been provided, and the brief description of the drawings has been amended. Accordingly, reconsideration of the objections to the disclosure is respectfully requested.

Reconsideration of the rejection of the claims under 35 USC §112, second paragraph, is respectfully requested in view of the amendments to the claims wherein the examiner's comments have been addressed. With regard to claims 11 and 12, it is submitted that one of ordinary skill in the art would understand that figure 4 shows a single flange structure and figure 5 shows a hidden frame structure. It is believed that all of the claims now comply with 35 USC §112.

Reconsideration of the rejection of the claims under 35 USC §102 as unpatentable over the reference to Dover is respectfully requested. The weatherstrip shown in Dover is quite different from that set forth in the claims because Dover teaches a weatherstrip where an elastic joint is positioned between inner and outer legs on the one hand and a rigid strip 42 on the other. The inner leg and the rigid strip form a channel for receiving a channel insert, and the rigid strip is positioned to pivot about projection 58. The purpose of the elastic joint is to stretch as the rigid strip rotates to accommodate the pivoting motion, and the rigid strip does not contact the windowpane. The windowpane is, instead contacted by the channel insert that is mounted within a window run channel. It is thus seen that the elastic portion is not positioned directly between the channel insert and the body member 26.

In contrast, the invention places a hinge directly between a clip portion and a support portion that has the windowpane-engaging elements integral therewith. As used in the claims herein, "integral" means that the window sealing lips are a part of the support portion itself and not formed in a separate element that must be attached to the support portion. Thus, in the invention claimed herein the hinge is positioned directly between the clip portion and the portion having integral sealing lips.

Serial No.: 10/629,648

It appears that the two structures operate differently. The Dover weatherstrip is designed to allow the rigid strip to pivot about the projection 58 to squeeze the insert to form a tighter seal. The hinge of the invention is provided to allow the support portion to deform with respect to the clip during installation as illustrated in figures 4 and 4a. The weatherstrip of the invention is a much more simple construction that eliminates the noted features of Dover. Therefore, Dover neither anticipates the invention as claimed nor suggests it to one of ordinary skill in the art. A further indication that the inventions are significantly different is that modification of Dover to result in the invention would ruin the weatherstrip of Dover for its intended purpose.

Accordingly, it is submitted that this application is in condition for allowance, and an early indication thereof is respectfully requested. The examiner is invited to contact the undersigned if any matter remains outstanding.

All necessary extensions of time are requested, but is believed to be required. Please charge any necessary fees and credit any excess to deposit account 50-1088.

Respectfully Submitted,  
CLARK & BRODY



Conrad J. Clark  
Reg. No. 30,340

Suite 600  
1750 K Street NW  
Washington, DC 20006  
202-835-1111  
202-835-1755 (fax)  
August 10, 2004